

MINUTES

MONTANA SENATE 57th LEGISLATURE - REGULAR SESSION CONFERENCE COMMITTEE TO AMENDMENTS ON SB 322

Call to Order: By **CHAIRMAN WILLIAM CRISMORE**, on April 18, 2001
at 8:00 A.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. William Crismore, Chairman (R)
Rep. Dave Kasten, Vice Chairman (R)
Sen. Mack Cole (R)
Sen. Debbie Shea (D)
Rep. Dennis Himmelberger (R)
Rep. Monica Lindeen (D)

Members Excused: None.

Members Absent: None.

Staff Present: Melissa Rasmussen, Committee Secretary
Valencia Lane, Legislative Branch

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary: SB 322

Discussion:

SEN. DEBBIE SHEA gave a brief history of the bills course of action through the legislative process. She declared she rejected the House amendments because one section skewed the intent of the bill. She added that the fiscal note needed to be reworked so that all of the money was coming out of the Orphan Share program. She wanted to make sure that the bill allowed for private donations. It was important to clean-up the bill now instead of later.

Eddye McClure, LSD, declared that the amendments were necessary to clean-up the bill. On page four the amendments clarified that a training program is not limited to an associates, bachelors or GED degree. Amendment number 3 grants the Department of Labor the authority to spend the private donations. It also clarifies

that the donated funds must be spent first. Amendment number 24 makes sure that the program is not active until the fund reaches 100 million dollars. Private money must be spent first. The effective date had to be changed because the fund will be used immediately. However, the RIT money will not be used until the fund reaches 100 million dollars. She stated that the Secretary of State has to forward a letter to let the code commissioner know when the 100 million becomes effective. She explained that she asked **SEN. SHEA** what happens when there are remaining private funds in the account. **SEN. SHEA** asked her to add language that granted them the amount in the fund as well as the private donations in order to have the cap reach 150 million dollars.

SEN. SHEA asked how the review process would work. **Ms McClure** told her that if the legislature tells them to report, they will.

Motion/Vote: **REP. DAVE KASTEN** moved that **AMENDMENTS SB032215.AEM EXHIBIT(nas87sb0322a01)** BE ADOPTED motion carried 6-0.

Motion/Vote: **REP. KASTEN** moved to **UNSTRIKE THE STRICKEN LANGUAGE ON PAGE 3, LINES 23 AND 14** motion carried 6-0.

Motion: **REP. KASTEN** moved to **STRIKE THE LANGUAGE ON PAGE 8, LINES 29 AND 30, "AND TO PAY COSTS ASSOCIATED WITH ADMINISTERING THE SCHOLARSHIP PROGRAM."**

Discussion:

REP. KASTEN argued the department could handle the work load of administrating this fund. He stated there are many sources of revenue to draw from. He questioned the need of hiring a quarter Full Time Employee to handle the job.

SEN. SHEA asked if the committee could hear from the department.

Mark Cadwallader, Department of Labor and Industry, informed the committee there are rules when applying for this program. He stated that an applicant must go through a thorough application process. Under the rules of the program the applicant must draw from other sources first, such as Pell Grants, before they are awarded scholarship money.

REP. KASTEN asked if he worked with Dave Morey. **Mr. Cadwallader** said he did not. **REP. KASTEN** stated that Dave Morey has programs in place already to deal with the application process. He questioned why it is not possible to use the people that the department already has. **Mr. Cadwallader** declared that a quarter

FTE is needed because nobody has an idea what the outcome of the program will be. The workload has yet to be determined.

CHAIRMAN BILL CRISMORE inquired if the program would continue without the FTE. **Mr. Cadwallader** proclaimed if the legislature directs them to do the program, they have to do it.

SEN. SHEA pointed out if an applicant does not complete the program they have to pay the money back. She questioned if **REP. JOHN WITT, HD 89, Carter** amendments would help determine how many FTE's were needed. She expressed her concern for putting an extra burden on the department.

REP. MONICA LINDEEN asked when the department reports back in two years if necessary FTE could be determined at that time. **SEN. SHEA** stated the finances could be handled through secured donations.

Ms McClure pointed out the language on page 3 that states a private money source would cover associated costs.

SEN. MACK COLE stated there are numerous bills that are waiting to reach the 100 million dollar mark before they take effect. He questioned if there was a conflict between those bills.

Valencia Lane informed him that taking the money out of the Orphan Share account eliminated potential conflicts.

SEN. SHEA added there is enough money left over in the Orphan Share account after other programs have been funded.

CHAIRMAN CRISMORE stated there is already language to cover the costs. He declared the fund should hit the mark before the next legislative session. Until then the fund can operate on private donations.

Ms McClure stated whatever money is in the fund will be used to pay for administrative costs. She questioned leaving the language in both places.

SEN. SHEA suggested leaving the language alone. The money will not come out of the fund for at least a year. She stated she would like to add a "D" to the section that would make the fund come under evaluation after one year.

{Tape : 1; Side : B}

Ms McClure declared that sections 1-6 are effective immediately.

SEN. SHEA questioned if **REP. KASTEN** would agree to adding a section "D" to evaluate the workload after one year. He said that would be fine.

Substitute Motion/Vote: **SEN. COLE** moved to **INSERT AN ITEM "D" TO REQUIRE THE DEPARTMENT OF LABOR TO DO AN ASSESSMENT OF THE PROGRAM** motion carried 6-0.

VOTE: motion carried 6-0.

REP. HIMMELBERGER inquired if thought had gone into what would happen once a person is retrained and then leaves the state.

SEN. SHEA wondered if he wanted to add a stipulation **REP.**

HIMMELBERGER said he had a hard time contributing taxpayers' money to a program that trained individuals and then they left the state. **SEN. SHEA** proclaimed the purpose of the program was to retrain people so they could stay in the state. She said numerous people in Butte don't want to leave, but they don't know what else to do.

REP. KASTEN proclaimed that once the program gets going, it can receive contributions from several different entities.

CHAIRMAN CRISMORE declared it is important to help people who have been laid off. Hopefully the program will keep them in Montana.

SEN. COLE stated if they leave at least they have been trained and the state has helped one of their own.

Motion/Vote: **SEN. SHEA** moved **SB 322 DO PASS AS AMENDED** motion carried 6-0.

ADJOURNMENT

Adjournment: 8:40 A.M.

SEN. WILLIAM CRISMORE, Chairman

MELISSA RASMUSSEN, Secretary

WC/MR

EXHIBIT (nas87sb0322aad)